

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
JULY 18, 1956

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. Wednesday, July 18, 1956; Councilmen Fuller, Hughes, Katzakian, Robinson, and Mitchell (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

Minutes of the previous meetings of June 6, June 13, June 20, June 27, and July 5 were approved as written and mailed on the motion of Councilman Katzakian, Fuller second.

PUBLIC HEARINGS

ABANDONMENT OF
FLORA STREET

ORD. NO. 562
INTRODUCED

This being the time and place designated for the hearing of protests for the proposed abandonment of that portion of Flora Street lying in Block 72 of the Lodi Barnhart Tract, Mayor Mitchell called for those wishing to protest such abandonment to address the City Council. There were no oral or written protests received. Councilman Robinson stated that this portion of the street, though never improved as a street, at one time had been used by the City for storage of telephone poles, and he thought that the City might have such use for the property in the future. Councilman Hughes pointed out that the street was not likely to be used in the future and would never cross the railroad tracks to the west; he felt that it should be abandoned and returned to the tax rolls. Mr. Cecil Mumbert, owner of the adjoining property, stated that at the time the City used the street for the storage of telephone poles it was also using property which now belongs to him. He said that the street alone would not be large enough to store telephone poles. Councilman Fuller stated that he felt the City Council should be just as free in abandoning a street which is not required by the City as it is in accepting a right of way where streets are needed. Ordinance No. 562 ordering the abandonment of that portion of Flora Street lying in Block 72 Lodi Barnhart Tract, was introduced on the motion of Councilman Hughes, Fuller second.

WEST LODI AVE.
BUILDING SET-
BACK

ORD. NO. 563
INTRODUCED

Mayor Mitchell then called for those people having objections to the establishment of the proposed building set-back line on West Lodi Avenue between the Southern Pacific railroad tracks and School street to present their objections. No objections were received. Ordinance No. 563, amending the present building set-back line between School Street and the Southern Pacific railroad tracks to provide a building set-back of 40 feet north and south of the section line, was introduced on the motion of Councilman Robinson, Katzakian second.

ORANGE AVE.
LIGHTING DIST.

RES. NO. 1946
ADOPTED

Mayor Mitchell then called upon those persons wishing to protest the formation of the Orange Avenue lighting district to present their objections. No protests, either written or oral, were received. On the motion of Councilman Fuller, Hughes second, the Council adopted Resolution No. 1946, overruling the protests. Councilman Katzakian then moved, Hughes second, Resolution No. 1947, adopting the scale of minimum wage rates. Resolution No. 1947 was adopted by unanimous. Resolution No. 1948, ordering the work, was then adopted on the motion of Councilman Robinson, Fuller second.

PARKING DISTRICT

RES. NO. 1942
ADOPTED

WISE REPORT

RES. NO. 1943
ADOPTED

RES. OF INT.
NO. 1944
ADOPTED

H.F. WISE
RETAINED

Mr. James T. Morton of the law firm of Kirkbride, Wilson, Harzfeld and Wallace addressed the City Council to explain the steps to be taken in the formation of the Downtown Parking District. The City Clerk reported that the petition for the formation of Parking District No. 1 had been filed with him on June 18, 1956. He further reported that he had checked the petition and that it was sufficient. The petition was formally presented to and considered by the City Council, accompanied by the City Clerk's certificate to the effect that the petition was adequate and met the requirements of law. The petition and certificate were ordered filed. Resolution No. 1942, "A Resolution of Approval and Agreement to Terms of Petition for the Formation of Parking District No. 1, and Directing Preparation of Report, Parking District No. 1," was read. On the motion of Councilman Robinson, seconded by Councilman Hughes, and unanimously carried, said resolution was adopted. Mr. Morton explained to the City Council that in the marketing of bonds for a parking district it is almost essential that a planning consultant be employed to aid in the planning of the district. He also explained that the report called for in Resolution No. 1942 had been referred to Harold Wise and Associates for preparation since it was the firm that had conducted a parking survey for the City of Lodi. The report of Harold F. Wise Associates was presented, read and considered. Resolution No. 1943, "A Resolution of Preliminary Approval of Engineer's Report Pursuant to the Parking District Law of 1951, Parking District No. 1," was read. On the motion of Councilman Fuller, seconded by Councilman Katzakian and unanimously carried, said resolution was adopted. Mr. Morton then read the proposed resolution of intention to form the district. Mr. Joe K. Newfield, Chairman of the Merchants' Parking Committee, and Mr. Jack Hoggatt questioned the wording of the first sentence of paragraph 12 of the resolution of intention. Mr. Newfield and Mr. Hoggatt explained that it was their understanding and the understanding of the property owners and petition signers that the \$.50 levy on property within the district would be levied only in those instances where the income from the on-street and off-street parking meters would be insufficient to meet the bond payments. They felt the wording of the first sentence of paragraph 12 would convey the impression that the \$.50 levy is mandatory. Mr. Morton stated that he believed the wording to be clear but he would have no objection to the addition of the word "may" to the sentence to strengthen its meaning. Resolution No. 1944, A Resolution of Intention to Form Parking District in the City of Lodi and to Issue Bonds to Pay the Costs and Expenses Thereof, Parking District No. 1, was adopted on the motion of Councilman Robinson, Fuller second. September 5, 1956, was set as the date for the public hearing on the question of the formation of the district.

After discussion with Mr. Morton regarding the desirability of retaining a planning consultant during the proceedings, it was moved by Councilman Katzakian, Hughes second, that Harold F. Wise and Associates be employed to attend public hearings when the parking district is being considered and to advise and assist the City Council in planning the locations of the parking lots. The motion was passed by unanimous vote.

WIDENING OF
CHERRY DR. RE-
QUEST

Mr. Weller explained that he had received a letter from Mr. H. C. Baumbach requesting the City to widen Cherry Drive east of Garfield Street to its full dedicated width of 20 feet. He stated that a second letter had been received from Mr. Baumbach stating that his property in the 500 block of East Cherry Drive had been appraised by the Multiple Listing Bureau and found that the property was being adversely affected because the full dedicated width was not being utilized at the present time. Mr. Weller reported that the 20 feet had actually been dedicated as a public street, but that only the south 15 feet of this 20 feet had been actually been in service and that the north 5 feet was being utilized by the home owner on the north. Mr. Harr, 920 S. Garfield Street, addressed the Council to state that when he purchased the property just north of the street in question he was unaware that the dedicated width extended into his yard. He would have no objections to the improvement of the street if it were not for the fact that in so doing he would be unable to carry on his business as an Auto Repair Shop, because such widening would remove a portion of his driveway which is essential to his operations. After further discussion with both Mr. Harr and Mr. Baumbach, Mr. Harr stated he would attempt to relocate his business. The Council on the motion of Councilman Hughes, Robinson second, voted to table the matter until the next meeting to permit Mr. Harr and Mr. Baumbach time to discuss their differences.

CITY PLANNING COMMISSION

REQUEST TRUCK
TRAFFIC BE PRO-
HIBITED ON WEST
OAK

Mr. Weller reported that a petition had been received on the 25th of June by property owners on West Oak Street and Wellington Way requesting the truck traffic on Oak Street below Ham Lane and Pacific be prohibited and that in the future the street be closed to High School traffic. He reported that the City Planning Commission had requested that an amendment to the traffic Ordinance, Ordinance No. 493, prohibiting truck traffic on West Oak Street be adopted. After considerable discussion in which the Council was advised that although truck routes could be established in the City by the City Council, nothing could be done to prevent trucks from making deliveries over the street, the City Council on the motion of Councilman Robinson, Hughes second, voted to refer the matter back to the City Planning Commission with an explanation as to why such an ordinance could not be adopted.

C.P.C. RECOMMEND
ZONING ORD, AMEND-
MENT

Mr. Weller read a recommendation from the City Planning Commission recommending the amendment of the Zoning Ordinance as it affects provision for side yard set backs. The amendments requested by the City Planning Commission provided for the elimination of certain ambiguous language in the sections and clarification of the intention of the City regarding the side yard set-backs. On the motion of Councilman Robinson, Hughes second, a public hearing on the question was set for August 15.

ONE-WAY ALLEYS

The City Manager reported a recommendation had been received from the City Planning Commission for the establishment of one way alleys in an area bounded by Lockeford Street, Sacramento Street, Lodi Avenue and

ORD. NO. 564
INTRODUCED

Church Street. It was recommended that alleys running north and south be restricted to south-bound traffic and alleys running east and west be restricted to west-bound traffic. Ordinance No. 564, amending the traffic Ordinance to provide for one-way alleys as recommended, was introduced on the motion of Councilman Robinson, Hughes second.

N. SACRAMENTO ST.
PARKING DISTRICT

From the minutes of the City Planning Commission meeting of June 25, Mr. Weller read that the City Council had been requested to ask those establishments on North Sacramento Street to form a parking district as a means of overcoming a serious parking problem in that area. On the motion of Councilman Hughes, Robinson second, the City Council voted to defer action on the matter until the next meeting to allow interested persons to attend.

REZONING
BARBERA ADDITION

Mr. Weller reported that the City Planning Commission recommended the rezoning from R-1 to C-1 of that property on the southeast corner of Kettleman Lane and South Hutchins Street. This property was recently annexed to the City of Lodi and automatically zoned R-1 despite the fact that the present commercial uses were already evident. The matter was set for public hearing on August 15 on the motion of Councilman Hughes, Fuller second.

COMMUNICATIONS

LCC. CVD.
MEETING

A notice from the City of Los Banos announcing the regular meeting of the Central Valley Division of the League of California Cities to be held in that city on July 26, 1956. Mr. Patrick Healy of Washington D. C. is to be the speaker.

LLOYD PATTON
RESIGNS REC.
COMMISSION

A letter from Lloyd Patton stated that due to pressing business matters he has found it necessary to submit his resignation from the Recreation Commission. His resignation was accepted with regret and the City Manager was instructed to direct a letter to Mr. Patton expressing the appreciation of the City Council for his service to the City on the motion of Councilman Robinson, Hughes second.

LETTER OF
APPRECIATION

A letter dated June 6 from Dallas Wilson, Incorporated, expressing their appreciation for the manner in which the City handled the work during the recent installation of Sewer lines in Hutchins Sunset Park. Particular comment and thanks were offered for the interest and work done by Mr. Elmer Weimer of the City Engineer's staff.

TRAFFIC SIGNALS

Letter dated July 14 from Mrs. L. P. Sartor requesting that the City Council help in any way possible to secure the installation of traffic signals at the corner of 99 Highway and Kettleman Lane. Mr. Weller reported that action on this matter had already been taken by the Division of Highways.

JOE NEWFIELD
LETTER

Letter from Joe Newfield, Sr., dated July 5, 1956, expressing sincere thanks and appreciation on behalf of the Retail Merchants for the word of commendation by the City Council at its recent meeting. Mr. Newfield cited three factors as contributing to the success of the Parking District at this point. First, the approval and cooperation of all the officials of the City of Lodi; second, the splendid cooperation of the property owners within the district; and thirdly, the fine group of public

spirited citizens who composed the Parking Committee, and who carried out their assignments in splendid fashion.

SANTA ROSA

Notice from the City of Santa Rosa enlisting the aid of the City of Lodi in opposing the proposed installation of transmission lines by the Pacific Gas & Electric Company on land regarded by the City of Santa Rosa as future subdivision land.

A.B.C. LICENSES

Alcoholic Beverage License applications for the following:

1. Byron Costa, Raymond Costa, and Jacob Heinle for On Sale General at the location of the Log Cabin Club, 222 North Cherokee Lane.
2. Louise Antognoli and Silvio Antognoli, On Sale General at the location of Cosmopolitan Club, 100 South Main Street.
3. Ralph Bedbury and Bernice J. Bedbury, Off Sale General at the location of H & M Liquor Store, 222 South School Street.
4. Riney W. Kahler and Elsie C. Kahler for On Sale Beer at the location of Royal Cafe, 117 North Sacramento Street.

REPORTS TO THE CITY MANAGER

FIRE RATING
CLASS 4

Mr. Weller reported he had received a letter from the Pacific Fire Rating Bureau informing him that as a result of a recent survey the rates for mercantile, industrial and public buildings had been adjusted. He reported an average reduction of about 10 per cent on mercantile properties could be anticipated, since it was apparent the City was not totally within its Class IV Rating.

PURCHASE OF
P.G.&E. FACILITIES

Mr. Weller reported that he has completed negotiations with the local Pacific Gas and Electric Company for the purchase of the facilities owned by the P.G.&E. Company and used to transmit power from the Company's substation to the City's substation. Mr. Weller reminded the City Council that the recent decision of the Public Utilities Commission ruled that the City should purchase these facilities. He recommended that the purchase be made for the sum of \$58,067.36 including sales tax.

RES. NO. 1950
ADOPTED

Resolution No. 1950 "Approving the Purchase of Certain Facilities from the Pacific Gas and Electric Company and Authorizing Execution of a Lease for the Premises Involved Therewith", was adopted on the motion of Councilman Fuller, Hughes second.

DOG POUND

Mr. Weller then presented preliminary plans and sketches for the construction of a dog pound on the City-owned property in the vicinity of the Sewage Disposal Plant. Preparation of plans and specifications were authorized on the motion of Councilman Katzakian, Hughes second.

FUND TRANSFERS

Mr. Weller reported that the year-end balances had been received and that a number of transfers in funds would be necessary to close out the books for

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| RES. NO. 1949 ADOPTED | the fiscal year 1955-56. Resolution 1949, "Authorizing the Allocation and Transfer of Funds to Adjust the Municipal Budget for the Fiscal Year Ending June 30, 1956", was adopted on the motion of Councilman Fuller, Hughes second. |
| SPEC. FOR CRESCENT MANOR | Specifications for the installation of streets in Crescent Manor No. 1 were approved on the motion of Councilman Robinson, Katzakian second. |
| SPEC. FOR WATER WELL AND PUMP | Specifications for the drilling of a water well and for the installation of a pump were approved on the motion of Councilman Katzakian, Robinson second. |
| STORM SEWERS | Specifications for the installation of storm sewers on the High School property were recommended by the City Engineer. The installation would be paid for by the School. Specifications were approved on the motion of Councilman Fuller, Hughes second. |
| PARKING ZONE | A request for a new parking zone on East Lockeford Street just west of the intersection of Highway 99 was approved by general agreement of the City Council. |
| FESTIVAL BOOTH ON STREET | Mr. Weller reported that he had received a request from the Chamber of Commerce and the Grape and Wine Festival for the use of curb space in the downtown business district for the purpose of selling memberships for the Grape and Wine Festival from a booth which would be placed next to the curb. The matter was referred to the Chief of Police on the motion of Councilman Fuller, Robinson second. |
| CLAIMS | Claims in the amount of \$77,752.70 were approved on the motion of Councilman Katzakian, Robinson second. |
| ORD. NO. 561 ADOPTED 1956-57 BUDGET | ORDINANCE NO. 561, "ADOPTING A BUDGET FOR THE SUPPORT OF THE VARIOUS DEPARTMENTS OF THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1956, AND ENDING JUNE 30, 1957", having been introduced at an adjourned meeting held June 27, 1956, was brought up for passage on the motion of Councilman Hughes, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote: <div style="margin-left: 100px;"> <p>AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell</p> <p>NOES: Councilmen - None</p> <p>ABSENT: Councilmen - None</p> </div> Ordinance No. 561 was then signed by Mayor Mitchell in approval thereof. |
| RES. NO. 1945 ADOPTED | Resolution No. 1945, authorizing the preparation of the assessment in the Eureka-Louie Avenue Lighting District, was adopted on the motion of Councilman Robinson, Fuller second. |

RES. NO. 1951
ADOPTED

Resolution No. 1951 entitled "Authorizing a Transfer to the Equipment Fund and Making Appropriations to Reserve Fund for the Fiscal Year 1956-57," was recommended by the City Manager. His request included the transfer of \$30,000.00 to the Equipment Fund and appropriations of \$150,000.00 to the Capital Outlay Fund and \$100,000.00 to the Utility Outlay Fund. Resolution No. 1951, as recommended, was adopted on the motion of Councilman Robinson, Katzakian second.

RESERVE FUND
APPROPRIATIONS

USE OF BOND BY
SUBDIVIDERS

City Attorney Mullen reported to the City Council that he had been requested by a subdivider to accept a performance bond for utility installation within the subdivision in lieu of placing the estimated costs of the installation on deposit with the City in advance of the date for construction. He stated he felt the public's interest would be protected if the bond guaranteed the deposit of the necessary funds either on the request of the City or at the end of a specified period, i.e., six months or one year. The Council agreed the procedure was acceptable to them if approved by the City Attorney.

CITY AD-
ANNIVERSARY
EDITION

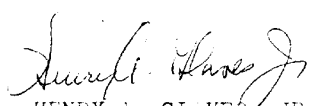
On the motion of Councilman Robinson, Katzakian second, the City Council authorized the purchase of a one page ad in the Anniversary Edition of the "Lodi News-Sentinel" by the following vote:

AYES: Councilman Katzakian, Mitchell, Robinson and Hughes

NOES: Councilman Fuller

ABSENT: Councilman None

The meeting was adjourned at 11:55 p.m. on the motion of Councilman Fuller.


ATTEST: HENRY A. GLAVES, JR.
City Clerk